

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**CARLOS REYNA, as Assignee of
JOSE FABELO,**

Plaintiff,

v.

**GLOBAL HAWK INSURANCE
COMPANY (RRG)**

Defendant.

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CIVIL NO: 1:17-CV-00270-SS

**WITHDRAWAL WITHOUT PREJUDICE OF
MOTION FOR SUMMARY JUDGEMENT**

Global Hawk Insurance Company ("Global Hawk") hereby withdraws its Motion for Judgment Without Prejudice to refiling, and states as follows:

1. Global Hawk filed a Motion for Summary Judgment on December 17, 2017 (Doc. #38).

2. As stated in the Prefatory Statement to that Motion, Global Hawk filed that Motion on that date because it was the deadline for dispositive motions under the then existing scheduling order, but requested to refile at a later date given the pendency of the various motions addressed in the Court's Order of January 5, 2018 (Doc. #39).

3. The Court noted in its Order of January 5, 2018 that the Motion for Summary Judgment was "not yet ripe" (Doc #39, p. 1 fn. 1).

4. Given the Court's ruling for the parties to submit a modified scheduling order and the Court's ruling that the Motion for Summary Judgment is not yet ripe, Global Hawk hereby withdraws that Motion for Summary Judgment without prejudice to refiling.

5. The withdrawal of this Motion is intended to alleviate the need for plaintiff to respond to the motion.

Respectfully submitted,

KANE RUSSELL COLEMAN LOGAN, PC

By: /s/ Donald A. Waltz
Donald A. Waltz
State Bar No. 24048061
3700 Thanksgiving Tower
1601 Elm Street
Dallas, Texas 75201
Phone: 214.777.4200
Fax: 214.777.4299
dwaltz@krcl.com

**ATTORNEYS FOR DEFENDANT
GLOBAL HAWK INSURANCE
COMPANY (RRG)**

CERTIFICATE OF SERVICE

I hereby certify that on 10th day of January, 2018, a true and correct copy of the foregoing was served upon counsel of record via ECF transmission:

Jeff M. Meyerson
Cole E. Gumm
THE MEYERSON LAW FIRM, P.C.
2224 Walsh Tarlton Lane, Suite 120
Austin, Texas 78746
jeffm@meyersonfirm.com
coleg@meyersonfirm.com

Attorneys for Plaintiff

Thomas A. Culpepper
Cody J. Moore
Thompson, Coe, Cousins & Irons,
LLP
Plaza of the Americas
700 N. Pearl Street,
Twenty-Fifth Floor
Dallas, Texas
Telephone: 214.871.8200
Facsimile: 214.871.8209
tculpepper@thompsoncoe.com
cmoore@thompsoncoe.com

*Attorneys for Stephani Morrison
and Nihill Insurance Services, LLC
d/b/a Ascension Insurance Agency*

s/ Donald A. Waltz

Donald A. Waltz